

**GOVERNMENT OF ANDHRA PRADESH**  
**ABSTRACT**

PS – I&CAD Dept., - Sri K. Prasad, EE(Retd), Palamaneru Division of Irrigation Circle, Chittoor – Departmental proceedings under rule 20 of APCS(CC&A) Rule 1991 – Articles of charges issued - Impose of 100% cut in Pension and gratuity permanently under Rule 9 of A.P. Revised Pension Rules 1980 – Revised Orders – Issued.

-----  
-----

IRRIGATION & COMMAND AREA DEVELOPMENT (Services. IV) DEPARTMENT

**G.O. Ms. No. .**  
**02-2012.**

**Dated: 23 -**

**following:-**

**Read the**

- 1..G.O.Rt.No.274, I&CAD(Ser.IV.1)Dept., dt.10.02.2006.
  2. .WSSD of Sri K.Prasad, EE(Retd) dated. 10.04.2006.
  3. G.O.Rt.No.1290, I&CAD(Ser.IV.1)Dept., dt.22.09.2006.
  4. .From COI DO Lr.No.679/COI-CK/2008-2, Dt.21.10.2008.
  5. .Govt. Memo No.165/Ser.IV.1/2006-11, dt.29.01.2009.
  6. Representation from Sri K.Prasad, EE(Retd), dated.07.03.2009.
  7. Govt. Lr. No. 165/Ser.IV-1/2006-15, Dt. 24-8-2009.
  8. From the Secretary, A.P.P.S.C. Hyderabad, Lr. No.1085.RT-I/3/2009, Dt. 7-10-2009.
  9. G.O. Ms. No. 276 I & CAD (Ser. IV) Deptt. dt. 24-10-2009.
  10. Orders of Hon'ble A.P.A.T. dt. 3-8-2011 in O.A. No. 12756 of 2009 filed by Sri K. Prasad, EE., (Retd.)
  11. G.O. Ms. No. 31 I & CAD (Ser. IV) Deptt. Dt. 23 -2-2012.
- X-X-X-

**ORDER:-**

It has been brought to the notice of the Government that Sri K. Prasad, EE, (Rtd) has demanded bribe from Smt B.S.Latha, W/o Late Sri V. Muniratnam, DEE for releasing the pensionary benefits of her deceased husband.

**2.** As the action of Sri K. Prasad, EE amounts to misconduct and violation of rule 3(1) (2) & (3) of A. P. Civil services (Conduct) Rules 1964, Government after careful examination of the matter, in the reference 1<sup>st</sup> read above initiated disciplinary action against Sri K. Prasad, EE, Palamaneru Division by issuing articles of charges to him.

**3.** In the reference 2<sup>nd</sup> read above, the Charged Officer has submitted his WSSD and after examining the same, in the reference 3<sup>rd</sup> read above, orders were issued appointing Smt Chandana Khan, IAS, Member, COI as Inquiring Authority to conduct enquiry into the charges framed against Sri K. Prasad, EE. (Rtd.)

**4.** In the reference 4<sup>th</sup> read above, the Inquiring Authority has submitted the enquiry report stating that the charges are held proved against Sri K. Prasad, EE., Palamaneru Division.

(PTO

)

// 2 //

**5.** In the reference 5<sup>th</sup> read above, show cause notice has been issued duly communicating a copy of enquiry report under rule 21 (4) of APCS (CC&A) rules 1991 read with rule 9 of A.P. Revised Pension Rules 1980 duly mentioning the penalty to be imposed i.e. 100% cut in pension and gratuity permanently against Sri K. Prasad, EE (Rtd) and directed him to submit his representation if any on the above proposed penalty .

**6.** In the reference 6<sup>th</sup> read above, the delinquent officer has submitted his explanation with a request to drop further action against him.

**7.** Government after careful examination of the explanation submitted by the delinquent officer have decided to impose a punishment of 100% cut in pension and gratuity permanently on Sri K. Prasad, EE (Rtd).

**8.** In the reference 7<sup>th</sup> read above, the Secretary, APPSC has been requested to place the proposal of the Government before the Commission and communicate its concurrence to Government.

**9.** In the reference 8<sup>th</sup> read above, the Secretary, APPSC has informed that the APPSC has agreed with the proposal of the Government to impose a punishment of 100% cut in pension and Gratuity permanently on Sri K. Prasad, EE (Rtd).

**10.** Government, after careful examination of the entire issue, in the reference 9<sup>th</sup> read above, orders were issued imposing a punishment of 100% cut in pension and gratuity on Sri K. Prasad, EE (Rtd) for demanding bribe from Smt B.S. Latha, W/o Late Sri V. Muniratnam, DEE for releasing the pensionary benefits of her deceased husband.

**11.** Aggrieved by the orders of the Government Sri K. Prasad, EE (Rtd) has filed O.A. No. 12756 of 2009 before the Hon`ble A.P. Administrative Tribunal with a request to quash the orders issued in the reference 9<sup>th</sup> read above.

**12.** The Hon`ble A.P. Administrative Tribunal while set aside the orders issued in the reference 9<sup>th</sup> read above, have directed the respondents to pass appropriate orders after giving reasons for rejecting the explanation of the applicant dated 7-3-2009 within a period of four weeks from the date of receipt of a copy of this order.

**13.** Government after careful examination of the entire issue and in compliance to the orders of the Hon`ble A.P. Administrative Tribunal in O. A. No. 12756 of 2009 have decided to implement the orders of the Hon`ble A.P. Administrative Tribunal.

**14.** Accordingly, the orders issued in the reference 9<sup>th</sup> read above are hereby cancelled in the reference 11<sup>th</sup> read above.

**15.** Government after careful examination of the representation dated 7-3-2009 of the delinquent officer and the applicant in O. A. No. 12756 of 2009 hereby reject his request to exonerate him from the charges on the following grounds :

i) Obsequies payment is to be paid immediately for performing last rites of the demised person. But the same was paid on 9-2-2005, whereas the officer expired on 31-1-2005. the delay is beyond explanation, hence unpardonable.

Contd. P. 3.

// 3 //

ii) Leave salary was sanctioned by the Superintending Engineer on 01-08-05 but paid only on 7-10-2005 i.e., after more than 2 months . There is no justification of the delay.

lii) Leave encashment proceedings were received in the division office on 02-08-05. The amount was drawn and paid on 07-01-2006 i.e., after a lapse of more than four months. No explanation is forthcoming for the delay.

iv) Family Benefit Fund was sanctioned by the division on 05-05-2005, but paid on 12-7-2005. The delay is not justified.

2) This clearly goes on to prove that there has been a deliberate delay even in drawing the amounts after receipt of sanction proceedings.

3) Regarding the counter allegation made by the charged officer that with a vengeance against him for not cooperating in claiming false T.A. Bills and additional charge allowance by forging signatures, it is rightly observed by the inquiring Authority that when there were so many legitimate dues pending, there would be no necessity for her to claim fake bill.

4) Regarding his defense of taking Rs. 3000/- which is on record, the contention of the charged officer is not acceptable. There is no record

in the past of the charged officer making arrangement to send money to the deceased's son or of any intimacy as claimed by him, which is proved by the inordinate delay caused by the Delinquent officer in paying legitimate dues to the widow of the deceased officer.

**16.** Government after careful examination of the entire issue hereby impose a punishment of 100% cut in pension and gratuity permanently on Sri K. Prasad, EE (Rtd) Irrigation Division, Palamaneru for demanding bribe from Smt. B.S. Latha, W/o Late V, Munirathnam, DEE for releasing the retirement benefits of her deceased husband.

**17** The Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH

SHAILENDRA KUMAR JOSHI  
PRINCIPAL SECRETARY TO

GOVERNMENT.

To

Sri K. Prasad, EE (Retd.), Palamaneru Division, Chittoor District through the

Engineer-in-Chief (AW), Irrigation & CAD Department, Jalasoudha

Buildings, Errammanzil, Hyderabad.

The Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad.

(PTO)

// 4 //

Copy to: The Secretary, A.P. Public Service Commission, Hyderabad.  
The Commissioner of Inquiries, General Administration Department, Hyderabad.  
The Accountant General, Andhra Pradesh, Hyderabad.  
The Vigilance Commission, A.P.V.C., Hyderabad.  
The Registrar, A.P. Administrative Tribunal, Hyderabad.  
SF.

// FORWARDED :: BY ORDER //

SECTION

OFFICER.